IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE SECOND DAY OF APRIL, TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR. JUSTICE : N.V. RAMANA.

W.P. No. 6255 of 2004

Between:
M/s. Singareni Steel (P) Limited, (A Company incorporated under the Companies Act, 1956) Factory at Industrial Estate, Kothagudem-507 101, Khammam District, rep. by its Director Sri N. Krishna Rao.

Petitioner

AND

1. Employee's Provident Fund Organisation Sub Regional Office at A.P.S.F.C. Building, Balasamudram Road, Hanumakonda, rep. by Its Regional Provident Commissioner.
2. Assistant Provident Fund Commissioner Employee's Provident Fund Organisation Sub Regional Office at A.P.S.F.C. Building, Balasamudram Road, Hanumakonda.
3. Recovery Officer, Employee's Provident Fund Organisation, Sub Regional Office, at A.P.S.F.C. Building, Balasamudram Road, Hanumakonda.
4. Central Board Employee's Provident Fund Organisation, Ministry of Labour, Krishi Bhavan, New Delhi, rep. by Central Provident Fund Commissioner/Ex-Officio.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to quash the set-aside the proceedings No. A.P./SRO/WGL/PD Cell/WGL/21702/01-02/890, dated 15-02-2002, issued by the 1st respondent an amount of Rs. 1,72,893/- under section 14B of EPF & MP Act towards damages, said to have been suffered for the delay in payment of contribution by the petitioner for the period from 03/1992 to 12/1998 and consequential order of attachment of immovable property, vide proceedings No. AP/WGL/RECY/SRO/WGL/REC/21702/2003 dated 27-03-2003, under panchanama for the value of Rs. 5,00,000/- and the day to day threats by the respondent No. 1 to 3 to sell away the property under attachment, as the same one as arbitrary, unjust and illegal apart from being violative of the provisions of EPF & MP Act, Limitation Act, Article 14, 19 (1) (g) of the constitution of India by issuance of writ, particularly a writ in the nature of Writ of Certiorari or any other appropriate writ or order or direction.

The petition coming on for orders as to admission, upon perusing the petition and the affidavit filed therein and upon hearing the arguments of Mr. Ch. Ramesh Babu, Advocate for the Petitioner and of Mr. R.N. Reddy, Standing Counsel for Employee's Provident Fund Organisation, for the respondents 1 to 3 and of Mr. T. Suryakaran Reddy, SC for Central Govt. for the respondent No. 4.

The Court made the following
ORDER:

" Mr. R.N. Reddy, learned standing counsel for respondent takes notice and seeks time to obtain instructions.

List on 19-4-2004. Meanwhile, respondents are directed not to sell the properties of the petitioner company. ”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Regional Provident Commissioner, Employee’s Provident Fund Organisation Sub Regional Office at A.P.S.F.C. Building, Balasamudram Road, Hanumakonda, Warangal District.
2. The Assistant Provident Fund Commissioner Employee’s Provident Fund Organisation Sub Regional Office at A.P.S.F.C. Building, Balasamudram Road, Hanumakonda, Warangal District.
3. The Recovery Officer, Employee’s Provident Fund Organisation, Sub Regional Office, at A.P.S.F.C. Building, Balasamudram Road, Hanumakonda, Warangal District.
4. The Central Provident Fund Commissioner / Ex-Officio, Central Board Employee’s Provident Fund Organisation, Ministry of Labour, Krishi Bhavan, New Delhi
5. One spare copy.

USR.